

The Law Office of  
**ANTHONY M. GRANDINETTE**

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July 1, 2014

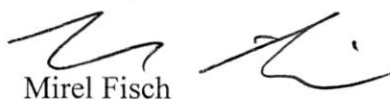
Arlene S. Zwilling  
Assistant County Attorney  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, New York 11788

Re: **Franqui, et al. v. County of Suffolk et al.,  
CV-13-5943**

Dear Ms. Zwilling,

During her deposition on June 24, 2014, PO Karen Grenia testified to the existence of numerous documents and records related to the above-referenced case. While Mr. Grandinette had made a formal request on the record for the production of those documents, enclosed please find Plaintiffs' Third Demand for the Production of Documents and Things formally calling for their production, as well as for the production of several additional documents referenced by PO Grenia.

Sincerely,

  
Mirel Fisch

Enclosure

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
JOAQUIN FRANQUI III, Administrator of the ESTATE  
OF JACK FRANQUI IV,

Plaintiff,

-against-

THE COUNTY OF SUFFOLK, SUFFOLK COUNTY  
POLICE DEPARTMENT, POLICE OFFICER KAREN  
GRECIA, AND POLICE OFFICERS JOHN AND JANE  
DOES 1-10,

Defendants.

-----X  
SIMON EARL, NICHOLAS EARL, AND ANNE EARL,

Plaintiffs,

-against-

THE COUNTY OF SUFFOLK, SUFFOLK COUNTY  
POLICE DEPARTMENT, POLICE OFFICER KAREN  
GRECIA, POLICE OFFICERS JOHN AND JANE  
DOES 1-10,

Defendants.

-----X  
**PLAINTIFF'S THIRD SET OF DEMANDS FOR THE PRODUCTION OF  
DOCUMENTS AND THINGS TO DEFENDANTS**

Pursuant to Federal Rules of Civil Procedure 26 and 34, Plaintiff requests that Defendants produce documents responsive to the following requests within thirty (30) days of service of this Request, at 10:00 a.m. at the Law Office of Anthony M. Grandinette, 114 Old Country Road, Suite 420, Mineola, New York, 11501. Inspection will be made and copying will be done at Plaintiff's expense, and the documents will be promptly returned after copying has been completed.

**Instructions**

Unless conclusively negated by the context of the request, the following instructions are applicable to all requests:

A. You shall restate each document request in full before responding to it. Each document request must be accorded a separate answer. You shall first set forth verbatim the document request to which it is responsive before setting forth its response. You shall not combine requests or subparts thereof for the purpose of supplying a common answer. The answer to a document request or subpart must not be supplied by referring to the answer to another request for documents unless the request for documents or the subpart referred to supplies a complete and accurate answer to the request for documents or subpart being answered.

B. Each document request seeks production of the documents in their entirety, without abbreviation or expurgation.

C. Each request produced must appear in the form, order, and condition that they are in on the day that these document requests are served, including all comments, notes, remarks, or other materials which may have been added to documents subsequent to their initial preparation. Documents that in their original condition were stapled, clipped, or otherwise fastened together must be produced in such form.

D. Documents not otherwise responsive to a request must be produced if such documents refer to, relate to, or explain the documents called for in this Request, or if such documents are attached to documents called for in this Request and constitute route slips, transmittal memoranda or letters, comments, evaluations, or similar documents.

E. If documents responsive to any request are not in your possession but within your control, if you have the right to secure the document or a copy thereof from another person or public or private entity having actual possession thereof, identify the person in possession or custody.

F. If any document was, but is no longer, in your possession or subject to your control, state what disposition was made of it, by whom, and the date or dates or approximate date or dates on which such disposition was made, and why.

G. If you object to any request on the grounds of privilege, your response must identify the nature of the responsive information and specify the claimed privilege in a log, consistent with Rule 26(b)(5).

H. If any document request cannot be complied with in full, you shall comply with it to the extent possible, with an explanation as to why full compliance is not possible.

I. As required by Rule 26(e), you must promptly amend or supplement answers or disclosures within thirty (30) days after additional information or material is acquired, and in no event later than thirty (30) days before trial.

### **Demands**

1. Produce copies of all complaints filed against PO Karen Grenia.
2. Produce copies of the complete set of the Suffolk County Police Department Communications Bureau radio dispatch transmissions for:
  - a. January 23, 2013 from 11am through 12:15pm;
  - b. January 24, 2013 from 7am through 3pm;
  - c. April 9, 2013 from 12pm through 2:30pm.
3. Produce copies of the Suffolk County Police Department 7<sup>th</sup> Precinct CAD (computer aided dispatch) reports for:
  - a. January 23, 2013 from 11am through 12:15pm;
  - b. January 24, 2013 from 7am through 3pm;
  - c. April 9, 2013 from 12pm through 2:30pm.
4. Produce copies of PO Karen Grenia's memo book entries for:
  - a. January 24, 2013; and
  - b. April 9, 2013.
5. Produce copies of the memo book entries for each of the 15-20 Suffolk County Police Department officers or employees present at Cordwood Path on January 23, 2013, as testified to by PO Karen Grenia, including but not limited to:
  - a. Sgt. Robert S. Strehle;
  - b. Sgt. William J. Ginley;
  - c. Sgt. William Kerensky;
  - d. PO James V. Rios;
  - e. PO Nicholas Robbins;
  - f. PO Janine Lesiewicz.
6. Produce copies of all other notes, memos, and/or reports by each of the officers referred to or listed in Demand 5 above.

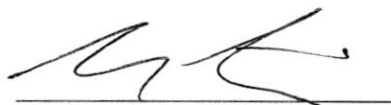


7. Produce copies of PO Karen Grenia's cell phone records for:
  - a. January 24, 2013 from 8am through 3pm; and
  - b. April 9, 2013 from 12pm through 2:30pm.
8. Produce copies of all notes taken by Homicide Bureau detectives during their interview of PO Karen Grenia on January 24, 2013.
9. Produce a copy of the property receipt for Jack Franqui dated January 23, 2013.
10. Produce copies of all documents related to PO Karen Grenia running or checking license plate numbers from vehicles at 6 Cordwood Path, Shoreham, including the results of those inquiries.
11. Produce copies of all traffic summonses issued by PO Karen Grenia from March 1, 2013 through May 31, 2013.
12. Produce copies of all rules and procedures related to the duties of a desk officer.
13. Produce copies of all rules and procedures related to police activity by off-duty police personnel.
14. Produce copies of all rules and procedures related to running or checking license plate numbers.
15. Produce a copy of all other notes, memos, and/or reports related to the death of Jack Franqui.
16. Produce all documents previously demanded in Plaintiffs' First and Second Demand for the Production of Documents and Things which have not yet been produced.

Dated: Mineola, New York  
July 1, 2014

The Law Office of Anthony M. Grandinette  
Attorneys for Plaintiffs  
114 Old Country Road, Suite 420  
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(516) 877-2889

By:

  
Mirel Fisch, Esq.